

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF OKLAHOMA**

IN RE:)
)
CM HEAVY MACHINERY, LLC,) **Case No. 24-80617**
) **Chapter 11**
)
Debtor.)

**STIPULATION REGARDING THE UNITED STATES
TRUSTEE'S MOTION TO CONVERT CASE TO CHAPTER 7**

Ilene J. Lashinsky, the United States Trustee for Region 20 (the “U.S. Trustee”), and CM Heavy Machinery, LLC (the “Debtor”) advise this Court that they have agreed to the following Stipulation:

BACKGROUND

1. The U.S. Trustee filed the United States Trustee’s Motion to Convert Case to Chapter 7, Doc. No. 79, on January 30, 2025 (the “Motion”).
2. The Debtor filed the Opposition to (I) United States Trustee’s Motion to Convert Case to Chapter 7; and (II) Creditor Great Plains National Bank’s Motion to Dismiss, or Alternatively, to Convert the Bankruptcy Case to a Chapter 7 Proceeding, Doc. No. 104, on February 13, 2025 (the “Opposition”).
3. The U.S. Trustee and the Debtor have agreed to the following terms regarding the Motion and the Opposition:

- Within ten (10) days from the filing of this Stipulation, the Debtor will provide proof of opening the DIP account to the U.S. Trustee.
- The Debtor will immediately cease utilizing the Mabrey Bank Account, No. xxxx5504 (the “Mabrey Bank Account”).
- Within ten (10) days from the filing of this Stipulation, the Debtor will transfer the balance in the Mabrey Bank Account to the DIP account; however, if there

is a required minimum balance for the Mabrey Bank Account to remain open, that balance can be maintained.

- The Debtor is not required to close the Mabrey Bank Account; however, if any account receivable is deposited into the Mabrey Bank Account, the Mabrey Bank Account will be swept into the DIP account within one (1) business day of the receipt of the receivable.
- The Debtor will attach receipts to the corresponding Monthly Operating Report for any future debit card purchases. In the rare event that a receipt is not available, the Debtor will attach to the corresponding Monthly Operating Report a detailed explanation of the purchase and why a receipt is not available.
- The Debtor will immediately cease using estate funds for any personal purpose of Mr. Meadors.
- The U.S. Trustee reserves the right to object to plan confirmation on any basis.
- The U.S. Trustee reserves the right to inquire regarding any past or future financial transaction listed in any Monthly Operating Report.
- The hearing on the Motion and the Opposition will be set at the same time as any hearing on plan confirmation. The U.S. Trustee waives the requirement that a hearing be commenced within 30 days of the filing of the motion as provided in 11 U.S.C. § 1112.

Wherefore, the U.S. Trustee and the Debtor have entered into the foregoing Stipulation.

DATED: April 1, 2025.

ILENE J. LASHINSKY
UNITED STATES TRUSTEE

/s/ Mary E. Kindelt
Karen Walsh, OBA# 14690
Mary E. Kindelt, OBA# 21728
224 South Boulder, Suite 225
P.O. Box 3044
Tulsa, OK 74101
(918) 581-6670
mary.kindelt@usdoj.gov

AGREED:

/s/ Maurice B. VerStandig
Maurice B. VerStandig, Esq.
The VerStandig Law Firm, LLC
9812 Falls Road, #114-160
Potomac, Maryland 20854
Phone: (301) 444-4600
mac@mbvesq.com

Christianna A. Cathcart, Esq.
The VerStandig Law Firm, LLC
9812 Falls Road, #114-160
Potomac, Maryland 20854
Phone: (301) 444-4600
christianna@dakotabankruptcy.com

Counsel for the Debtor